

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. 6:17CR00007-001-AA

Plaintiff,

ORDER TO REDUCE SENTENCE

v.

PAUL HOWARD STACKER,

Defendant.

The defendant, Paul Howard Stacker, through his attorney, Thomas E. Price, together with the attorney for the government, Assistant United States Attorney Amy Potter, jointly moved this Court pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) to reduce his sentence to time served, with the following added conditions of supervised release: (1) imposition of an 84-month period of supervised release; and (2) 24 months of that period in home confinement.

As amended by the First Step Act, the compassionate release statute allows courts to reduce sentences for “extraordinary and compelling” reasons. Thirty days have elapsed since Mr. Stacker initiated a request for compassionate release consideration with the warden of the Lompoc Complex. Accordingly, this motion is properly before this Court.

Mr. Stacker is a 66-year-old man who suffers from a variety of chronic health conditions including: stage three chronic kidney disease, arthritis, acute pancreatitis, occipital neuralgia, nerve impingement, thrombocytopenia (low blood platelet count), bilateral rotator cuff tears, chronic, disabling migraines, and a prior stroke that render him especially vulnerable to the new coronavirus disease, COVID-19. Mr. Stacker is in custody at the Lompoc Complex. Including good time credit and based on his projected release date of March 22, 2022, Mr. Stacker has approximately 21 months remaining of his 51-month sentence.

Based on all of the relevant circumstances, the parties agree that this case presents extraordinary and compelling reasons to reduce Mr. Stacker's sentence to time served. Additionally, the parties agree that the requested sentence reduction would be consistent with the sentencing factors under 18 U.S.C. § 3553(a) and the applicable policy statement in U.S.S.G. § 1B1.13.

Mr. Stacker has a release plan, approved by the U.S. Probation Office, to live with his wife, Christine Stacker in Eugene, Oregon. Mr. Stacker will have a bedroom available to him and the ability to quarantine for 14 days upon release.

For all of the foregoing reasons, the Court finds that compassionate release should be granted and ORDERS that Mr. Stacker's sentence be amended to one of time-served. Upon release from confinement, the Court modifies the original judgment and further ORDERS that Mr. Stacker shall serve an eighty-four (84) month period of supervised release. Twenty-Four (24) months of that period of supervised release shall be served in home confinement. The other delineated terms of Mr. Stacker's conditions of supervised release remain as originally ordered including sex offender treatment which is available to the defendant in Eugene.

If the Probation officer would like a status conference, she will contact the Court to schedule one.

Dated this 9th day of July 2020.

/s/Ann Aiken
The Honorable Ann L. Aiken
United States District Court Judge